

# **Exhibit A**

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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEVADA**

Tonkawa Tribe of Indians of	)	Case No. 2:20-cv-01637-GMN-BNW
Oklahoma d/b/a Tonkawa	)	
Enterprises; Cow Creek Band of	)	
Umpqua Tribe of Indians; and	)	
Umpqua Indian Development	)	
Corporation	)	
on behalf of themselves and others	)	
similarly situated,	)	
Plaintiff,	)	
vs.	)	
Scientific Games Corporation,	)	
Bally Technologies, Inc., and Bally	)	
Gaming, Inc.,	)	
Defendants.	)	

**PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION**

Pursuant to Fed. R. Civ. P. 34, Plaintiffs request that Defendants produce all of the documents and other tangible things specified below in their possession, custody, and/or control. All documents and tangible things responsive hereto should be produced for inspection and/or copying within thirty (30) calendar days at the offices of Berry Law PLLC, or as otherwise agreed to by the parties. Defendants should thereafter seasonably supplement such responses pursuant to Fed. R. Civ. P. 26(e)(2) through the date of any trial.

**INSTRUCTIONS**

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2 1. Unless the particular request indicates otherwise, the relevant time period to  
3 which each request refers is from January 1, 2009 to the present.

4 2. The singular form shall be construed to include the plural, and vice-versa,  
5 whenever such a dual construction will serve to bring within the scope of a production  
6 category any documents or information that would otherwise not be within its scope.

7  
8 3. The past tense form shall be construed to include the present tense, and vice-  
9 versa, whenever such a dual construction will serve to bring within the scope of a production  
10 category any documents or information that would otherwise not be within its scope.

11 4. Each category of documents in these requests extends to any and all documents  
12 in your possession, custody, or control. A document shall be deemed to be in your possession,  
13 custody, or control if it is in your physical custody, or if it is in the physical custody of any  
14 other person and you (a) own such document in whole or in part; (b) have a right by contract,  
15 statute, or otherwise to use, inspect, examine, or copy such document in whole or in part; (c)  
16 have an understanding, express or implied, that you may use, inspect, examine, or copy such  
17 document in whole or in part; or (d) as a practical matter, have been able to use, inspect,  
18 examine, or copy such document in whole or in part. Such documents shall include, but are  
19 not limited to, documents that are in the custody of any of your attorneys, representatives, or  
20 other agents.  
21

22 5. All requests for the production of documents shall be construed to include any  
23 additional documents responsive to these requests that are discovered or produced after the  
24 date of production, and therefore require further and supplemental responses.

25 6. All documents should be produced as they are kept in the usual course of business  
26 or shall be organized and labeled to correspond to the categories in the request. All documents  
27

1 should be produced in the order in which they appear in the files of the producing party, organized  
2 by source, and should contain a clear indication of where each document ends and the next  
3 begins. Documents maintained in a file folder or binder should be preceded by the file folder  
4 or binder label, if one exists, and should contain a clear indication of where the file folder or  
5 binder begins and ends. All attachments to a document should be produced with the document.  
6 A unique control number should be affixed to each page (or, to each document, where a native  
7 file is produced). Computer files (including backup files), electronic mail messages, and other  
8 documents maintained in electronic form should be produced in machine-readable electronic  
9 form.  
10

11 7. If you object to any of the categories of documents set forth below, you must  
12 fully set forth your objections in writing. If an objection is made to part of any document or  
13 category, the part should be specified. If you object to any request or part of any request, you  
14 must produce all documents to which your objection does not apply.  
15

16 8. If any document that you are requested to produce or identify herein was at one  
17 time in existence, but has been lost, discarded, or destroyed, identify in writing each document  
18 and provide the following information: (a) the date or approximate date it was lost, discarded,  
19 or destroyed; (b) the circumstances and manner in which it was lost, discarded, or destroyed;  
20 (c) the reason or reasons for disposing of the document (if discarded or destroyed); (d) the  
21 identity of all persons authorizing the document and/or having knowledge of the document;  
22 (e) the identity of the person(s) who lost, discarded, or destroyed the document; (f) the identity  
23 of any persons having knowledge of the contents thereof; and (g) a detailed summary of the  
24 nature and contents of the document, including the author(s) of the document(s), the name of  
25 the person(s) to whom the document(s) was (were) delivered or addressed, including indicated  
26 or blind copy recipients, the date of the document(s), and a description of the subject matter  
27

1 thereof, including any attachment or appendices, and the number of pages.

2 9. If you object to any of the documents or categories of documents set forth below  
3 because you claim they are protected by the attorney-client privilege, the work product  
4 doctrine, or any other privilege or protection, separately identify each withheld document via  
5 a privileged document list. The privileged document list must identify each document  
6 separately, specifying for each document at least the following: (1) the date; (2) the  
7 author(s)/sender(s); (3) the recipient(s), including copy recipient(s); and (4) the general subject  
8 matter of the document. The sender(s) and recipient(s) should be identified by position and  
9 entity (corporation or firm, etc.) with which they are employed or associated. If any  
10 author/sender or recipient is an attorney or foreign patent agent, he or she should be so  
11 identified. The type of privilege claimed must also be stated, together with certification that  
12 all elements of the claimed privilege have been met and not waived with respect to each  
13 document.  
14

15  
16 10. If any documents cannot be produced in full, you are requested to produce them to  
17 the fullest extent possible, specifying clearly the reasons for your inability to produce the  
18 remainder and stating any information, knowledge, or belief you have concerning the unproduced  
19 portion.

20 11. In the event that multiple copies of a document exist, produce every copy on  
21 which appear any notations or markings of any sort that do not appear on any other copy.

22 12. If an English translation of any requested documents exists, produce the English  
23 translation.  
24

25 13. The specificity of any request herein shall not be construed to limit the  
26 generality or reach of any other request herein.  
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## DEFINITIONS

1  
2 1. “You” or “Your” shall mean the Defendants and includes, without limitation, (a) any  
3 of their divisions, departments, or other organizational or operational units; (b) all of their  
4 predecessor or successor companies or corporations; (c) present and former officers, directors,  
5 employees, consultants, agents, attorneys, or others acting or purporting to act on its behalf.

6 2. “Customers,” “purchasers,” or “buyers” refer to persons purchasing or leasing  
7 automated card shuffler machines for regulated casinos from you.  
8

9 3. “Purchasing” or “sale” shall mean buying or leasing.

10 4. “All” means all or any, and “any” means all or any.

11 5. The connectives “and” and “or” shall be construed either disjunctively or  
12 conjunctively as necessary to bring within the scope of the document request all responses that  
13 might otherwise be outside its scope.

14 6. “Include” or “including” denotes a portion of a larger whole and is used without  
15 limitation.  
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17 7. “Concerning” or “concerns” means relating to, referring to, consisting of,  
18 reflection, discussing, constituting, describing, analyzing, studying, evidencing, incorporating, or  
19 ‘n any way pertaining to or having any logical or factual connection to any matter alleged in  
20 the Second Amended Complaint.

21 8. “Relating to” means in whole or in part, constituting, containing, referring to,  
22 discussing, dealing with, describing, reflecting, or pertaining to in any way whatsoever.  
23

24 9. “Relevant Market” means the relevant market for sale of automated card  
25 shuffler machines as set forth in the Second Amended Complaint.

26 10. “Document” shall have the full meaning ascribed under the Federal Rules of  
27 Civil Procedure and shall mean, without limitation, any written, recorded, or graphic material

1 of any kind within your possession, custody or control, whether in paper or electronic form.  
 2 The term includes, but is not limited to, all agreements; contracts; letters; telegrams;  
 3 interoffice communications; facsimile transmissions; memoranda; reports; records; studies;  
 4 instructions; specifications; handwritten or typewritten notes; notebooks; scrapbooks; diaries;  
 5 calendars; plans; drawings; sketches; diagrams; minutes of meetings, conferences and  
 6 telephone or other conversations; photocopies; charts; microfilm, microfiche, tape, disk, or  
 7 diskette recordings; computer records and computer printouts. The term "document" includes  
 8 electronically stored data from which information can be obtained either directly or by  
 9 translation through detection devices or readers (any such document is to be produced in a  
 10 reasonably legible and usable form) - including, without limitation, email stored in servers  
 11 and on hard disks of personal computers, listings of computer code, netlists, and digitized  
 12 topographic information concerning integrated circuits. The term "document" also includes  
 13 the original document (or an identical copy thereof if the original is not available) and all  
 14 copies that differ in any respect from the original as a result of any notation, symbol,  
 15 number, lettering, underlining, marking or other information appearing thereon, and all  
 16 attachments thereto, and also includes English translations of documents requested herein  
 17 whenever such translations exist in whole or in part for a document or portion thereof.

20 11. "Person" means a natural person, corporation, or other business organization.

21 12. "Sales" or "sold" refers to all sales billed to or shipped to the United States.

## 22 DOCUMENTS REQUESTED

23  
 24 **Request No. 1:** Complete electronic data underlying invoices (in a machine-readable  
 25 format such as \*.csv, \*.txt, \*.xis) for all sales billed in the United States of automatic card  
 26 shuffler machines sold to regulated casinos by you, or other products you contend are in the  
 27 Relevant Market. Data for each transaction should include, but are not limited to, the

1 following characteristics:

- 2 A. Date of transaction, including but not limited to the date of order, date of  
3 invoice, and date of provision. Any unique numbers that identify the  
4 transactions, as well as any associated invoice number or purchase order  
5 number.
- 6 B. Bill-to Customer and Ship-to information, including name; any identifying  
7 customer number; geographic location (address, state, country); any customer  
8 classification information; and distribution channel.
- 9 C. Product information, including unique identifier of product; name; description;  
10 any fields containing product characteristics; and product line/family.
- 11 D. Transaction volume or quantity (*i.e.*, units sold or returned).
- 12 E. Transaction amount in dollars, including identification of any discount, rebate,  
13 or other adjustment to the final price of the product.
- 14 F. Unit price in dollars
- 15 G. Any adjustments to sale amounts and prices, including discounts, rebates, credits,  
16 debits, trade-in allowances or other payments you made to your customers, free  
17 goods or other incentives you made or provided to your customers and any  
18 information related to such adjustments sufficient to tie them to corresponding sales  
19 transactions.
- 20 H. Any associated contract number(s) or other means used to identify the contract  
21 pursuant to which the transaction was made.
- 22 I. Contract terms associated with transactions (e.g., duration, minimum volume,  
23 MFC clauses, etc.).
- 24 J. Any measure of margins earned on sales including without limitation gross  
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1 margins.

2 **Request No. 2:** Documents sufficient to show the manner in which you have maintained  
 3 records relating to the sale of automatic card shuffler machines to regulated casinos referred  
 4 to in Request No. 1 above during the period January 1, 2009 through the present, including  
 5 documents sufficient to describe all electronic data processing systems, programs, and outputs  
 6 used to record, store, compute, analyze or retrieve electronically stored information relating  
 7 to your pricing, production, distribution, marketing or sale of the products in the United States,  
 8 and read or identify data fields produced.  
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10 **Request No. 3:** Documents sufficient to explain your pricing of automatic card  
 11 shuffler machines sold to regulated casinos including but not limited to definitions of all of  
 12 the characteristics of a card shuffler product determining price, casino buyer characteristics,  
 13 the functionalities of the machine, and the number of casinos operated by the buyer.  
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15 **Request No. 4:** All documents relating to third party research and market data reports  
 16 concerning automatic card shuffler machines for regulated casinos, or any products that you  
 17 contend are in the Relevant Market, including without limitation market share data compiled  
 18 by third parties.

19 **Request No. 5:** Documents in electronic form sufficient to identify the regulated  
 20 casinos buying automatic card shuffler machines from you.

21 **Request No. 6:** Complete electronic data underlying invoices (in a machine-readable  
 22 format such as \*.csv, \*.txt, \*.xis) for all sales billed by you in the United States of intelligent card  
 23 shoe products<sup>1</sup> from January 1, 2009 to the present. Data for each transaction should include,  
 24 but are not limited to, the following characteristics:  
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27 <sup>1</sup> <https://www.sggaming.com/Shuffle-Master/Shufflers-and-Utilities/Intelligent-Shoes>.

- 1 A. Date of transaction, including but not limited to the date of order, date of  
2 invoice, and date of provision. Any unique numbers that identify the  
3 transactions, as well as any associated invoice number or purchase order  
4 number.
- 5 B. Bill-to Customer and Ship-to information, including name; any identifying  
6 customer number; geographic location (address, state, country); any customer  
7 classification information; and distribution channel.
- 8 C. Product information, including unique identifier of product; name; description; any  
9 fields containing product characteristics; and product line/family,
- 10 D. Transaction volume or quantity (*i.e.*, units sold or returned).
- 11 E. Transaction amount in dollars, including identification of any discount, rebate,  
12 or other adjustment to the final price of the product.
- 13 F. Unit price in dollars.
- 14 G. Any adjustments to sale amounts and prices, including discounts, rebates, credits,  
15 debits, trade-in allowances or other payments you made to your customers, free  
16 goods or other incentives you made or provided to your customers and any  
17 information related to such adjustments sufficient to tie them to corresponding sales  
18 transactions.
- 19 H. Any associated contract number(s) or other means used to identify the contract  
20 pursuant to which the transaction was made.
- 21 I. Contract terms associated with transactions (*e.g.*, duration, minimum volume, MFC  
22 clauses, etc.).
- 23 J. Any measure of margins earned on sales including without limitation gross  
24 margins.
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**Request No. 7:** Documents sufficient to show the manner in which you have maintained records relating to intelligent card shoe products referred to in Request No. 6 above during the period January 1, 2009 through the present, including documents sufficient to describe all electronic data processing systems, programs, and outputs used to record, store, compute, analyze or retrieve electronically stored information relating to your pricing, production, distribution, marketing or sale of the products in the United States, and read or identify data fields produced.

**Request No. 8:** All documents relating to third party research and market data reports concerning the products referred to in Requests Nos. 6, 7 above including without limitation market share data compiled by third parties.

**Request No. 9:** Complete electronic data underlying invoices (in a machine-readable format such as \*.csv, \*.txt, \*.xis) for all sales billed in the United States of roulette chip sorters (commonly called "chippers") from January 1, 2009 to the present. Data for each transaction should include, but are not limited to, the following characteristics:

- A. Date of transaction, including but not limited to the date of order, date of invoice, and date of provision. Any unique numbers that identify the transactions, as well as any associated invoice number or purchase order number.
- B. Bill-to Customer and Ship-to information, including name; any identifying customer number; geographic location (address, state, country); any customer classification information; and distribution channel.
- C. Product information, including unique identifier of product; name; description; any fields containing product characteristics; and product line/family.
- D. Transaction volume or quantity (*i.e.*, units sold (or returned)).

1 E. Transaction amount in dollars, including identification of any discount, rebate, or  
2 other adjustment to the final price of the product.

3 F. Unit price in dollars.

4 G. Any associated contract number(s) or other means used to identify the contract  
5 pursuant to which the transaction was made.

6 H. Contract terms associated with transactions (*e.g.*, duration, minimum volume, MFC  
7 clauses, etc.).

8 I. Any measure of margins earned on sales including without limitation gross margins

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10 **Request No. 10:** Documents sufficient to show the manner in which you have maintained  
11 records relating to roulette chip sorters referenced in Request No. 9 above, including documents  
12 sufficient to describe all electronic data processing systems, programs, and outputs used to record,  
13 store, compute, analyze or retrieve electronically stored information relating to your pricing,  
14 production, distribution, marketing or sale of the products in the United States, and read or identify  
15 data fields produced.  
16

17 **Request No. 11:** All documents relating to third party research and market data reports  
18 concerning the product referred to Request Nos. 9, 10 above including without limitation  
19 market share data compiled by third parties.

20 **Request No. 12:** Complete electronic data underlying invoices (in a machine-readable  
21 format such as \*.csv, \*.txt, \*.xis) for all sales billed in the United States by you for consumer-  
22 grade or recreational card shufflers from January 1, 2009 to the present. Data for each transaction  
23 should include, but are not limited to, the following characteristics:  
24

25 A. Date of transaction, including but not limited to the date of order, date of  
26 invoice, and date of provision. Any unique numbers that identify the  
27 transactions, as well as any associated invoice number or purchase order

number.

B. Bill-to Customer and Ship-to information, including name; any identifying customer number; geographic location (address, state, country); any customer classification information; and distribution channel.

C. Product information, including unique identifier of product; name; description; any fields containing product characteristics; and product line/family.

D. Transaction volume or quantity (*i.e.*, units sold or returned).

E. Transaction amount in dollars, including identification of any discount, rebate, or other adjustment to the final price of the product

F. Unit price in dollars.

G. Any adjustments to sale amounts and prices, including discounts, rebates, credits, debits, trade-in allowances or other payments you made to your customers, free goods or other incentives you made or provided to your customers and any information related to such adjustments sufficient to tie them to corresponding sales transactions.

H. Any associated contract number(s) or other means used to identify the contract pursuant to which the transaction was made.

I. Contract terms associated with transactions (*e.g.*, duration, minimum volume, MFC clauses, etc.).

J. Any measure of margins earned on sales including without limitation gross margins.

**Request No. 13:** Documents sufficient to show the manner in which you have maintained records relating to the product referenced in Request No. 12 above, including documents sufficient to describe all electronic data processing systems, programs, and outputs

1 used to record, store, compute, analyze or retrieve electronically stored information relating  
2 to your pricing, production, distribution, marketing or sale of the products in the United States,  
3 and read or identify data fields produced.

4 **Request No. 14:** All documents relating to third party research and market data reports  
5 concerning the product referred to in Request Nos. 12, 13 above, including without limitation  
6 market share data compiled by third parties.

7 **Request No. 15:** All communications relating to planning services or advice provided  
8 by you to buyers of automatic card shuffler machines sold to regulated casinos, or for any  
9 products that you contend are in the Relevant Market, relating to casino target audiences or  
10 customers that are best reached by this machine.

11 **Request No. 16:** All purchase or lease contracts, agreements, and letters of commitment  
12 entered into by you with purchasers of automatic card shuffler machines for regulated casinos,  
13 or any products that you contend are in the Relevant Market, located in the United States in  
14 force on, or entered into after, January 1, 2009 and all documents concerning such contracts  
15 or agreements or commitments, including documents reflecting the terms and conditions of  
16 any agreement between you and purchasers.

17 **Request No. 17:** All your organizational charts and employee directories for each  
18 Defendant and constituent operating companies covering the time period January 1, 2009 to the  
19 present.

20 **Request No. 18:** All documents relating to profitability of sales of automatic card  
21 shuffler machines for regulated casinos, or any products that you contend are in the Relevant  
22 Market, including without limitation gross revenues, expenses, margins, contribution,  
23 overhead, and marginal or incremental cost associated with particular brands of machines  
24 products, or particular casino purchasers.

1       **Request No. 19:** Your monthly, quarterly, and annual financial statements.

2       **Request No. 20:** All documents relating to your budgets for production or sale of  
3 automatic card shuffler machines for regulated casinos, or any products that you contend are  
4 in the Relevant Market.

5       **Request No. 21:** All documents relating to internal business and strategic planning,  
6 market research, surveys, competitive analysis, relating to sales of automatic card shuffler  
7 machines for regulated casinos, or any products that you contend are in the Relevant Market,  
8 including documents prepared for you by third parties.

9       **Request No. 22:** All documents relating to third party research and market data reports  
10 concerning sale of automatic card shuffling machines for regulated casinos, or any products that  
11 you contend are in the Relevant Market, including without limitation market share data  
12 compiled by third parties.

13       **Request No. 23:** All presentations to investors, shareholders, rating agencies,  
14 investment bankers, board of directors, or board committees concerning the sale of automatic  
15 card shuffler machines for regulated casinos, or any products that you contend are in the  
16 Relevant Market.

17       **Request No. 24:** All documents relating to your interactions with customers concerning  
18 your sale and marketing of automatic card shuffler machines for regulated casinos, or any  
19 products that you contend are in the Relevant Market, including without limitation any  
20 complaints received from customers, notes of meetings with customers, sales and marketing  
21 presentations and promotional materials given to customers, any internal monitoring of  
22 customer interactions, and interactions regarding any of your actual or potential competitors.

23       **Request No. 25:** All documents regarding your pricing and pricing strategy for the sale of  
24 automatic card shuffler machines for regulated casinos, or any products that you contend are  
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1 in the Relevant Market, and any analysis of actual or potential competitor pricing of automatic  
2 card shuffler machines for regulated casinos, or any products that you contend are in the  
3 Relevant Market.

4 **Request No. 26:** All documents concerning any analysis, research, study, or  
5 investigation regarding the effect of any patent infringement action or counterclaim filed by  
6 you during the period January 1, 2000 to the present on actual or potential competitors,  
7 including without limitation the costs or attorneys' fees imposed on competitors or the effect  
8 on their market entry.  
9

10 **Request No. 27:** All documents that analyze or are related to your cost of supplying  
11 automatic card shuffler machines for regulated casinos.

12 **Request No. 28:** All documents that analyze or are related to your cost of supplying the  
13 product referred to in Request No. 6.

14 **Request No. 29:** All documents that analyze or are related to your cost of supplying the  
15 product referred to referred to in Request No. 9.  
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17 **Request No. 30:** All documents that analyze or are related to your cost of supplying the  
18 product referred to referred to in Request No. 12.

19 **Request No. 31:** Your document retention policies.

20 **Request No. 32:** All documents relating to your communications with any actual or  
21 potential competitors in the Relevant Market.  
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23 **Request No. 33:** Communications with state or federal government regulatory  
24 agencies concerning the sale of automatic card shuffler machines in the United States, or any  
25 products that you contend are in the Relevant Market, including any white papers that were  
26 submitted concerning competition and competitors in the relevant product markets, and all  
27 documents relating to those communications.



1       **Request No. 34:** Communications with any trade associations concerning the sale of  
2 automatic card shuffler machines, or any products you contend are in the Relevant Market, and  
3 all documents relating to those communications.

4       **Request No. 35:** All lease contracts, agreements, and letters of commitment entered  
5 into by you with lessors of automatic card shuffler machines for regulated casinos (or any  
6 products that you contend are in the Relevant Market), intelligent card shoe products, roulette  
7 chip sorters, or consumer-grade or recreational card shufflers located in the United States in force  
8 on, or entered into after, January 1, 2009 where lease payments are bundled with service payments,  
9 and all documents concerning such contracts or agreements or commitments, including  
10 documents reflecting the terms and conditions of any agreement between you and purchasers.

11       **Request No. 36:** Complete electronic data underlying invoices (in a machine-readable  
12 format such as \*.csv, \*.txt, \*.xis) for all foreign sales billed outside the United States of  
13 automatic card shuffler machines sold to casinos by you. Data for each transaction should  
14 include, but are not limited to, the following characteristics:  
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- 17       A.     Date of transaction, including but not limited to the date of order, date of  
18             invoice, and date of provision. Any unique numbers that identify the  
19             transactions, as well as any associated invoice number or purchase order  
20             number.
  - 21       B.     Bill-to Customer and Ship-to information, including name; any identifying  
22             customer number; geographic location (address, state, country); any customer  
23             classification information; and distribution channel.
  - 24       C.     Product information, including unique identifier of product; name;  
25             description; any fields containing product characteristics; and product  
26             line/family.  
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- 1 D. Transaction volume or quantity (*i.e.*, units sold or returned).
- 2 E. Transaction amount in dollars, including identification of any discount, rebate,
- 3 or other adjustment to the final price of the product.
- 4 F. Unit price in dollars.
- 5 G. Any adjustments to sale amounts and prices, including discounts, rebates, credits,
- 6 debits, trade-in allowances or other payments you made to your customers, free
- 7 goods or other incentives you made or provided to your customers and any
- 8 information related to such adjustments sufficient to tie them to corresponding
- 9 sales transactions.
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- 11 H. Any associated contract number(s) or other means used to identify the contract
- 12 pursuant to which the transaction was made.
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- 14 I. Contract terms associated with transactions (e.g., duration, minimum volume,
- 15 MFC clauses, etc.).
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- 17 J. Any measure of margins earned on sales including without limitation gross
- 18 margins.

18 **Request No. 37:** Documents sufficient to show the manner in which you have

19 maintained records relating to the foreign sale of automatic card shuffler machines referred

20 to in Request No. 36 above during the period January 1, 2009 through the present, including

21 documents sufficient to describe all electronic data processing systems, programs, and outputs

22 used to record, store, compute, analyze or retrieve electronically stored information relating

23 to your pricing, production, distribution, marketing or sale of these products, and read or

24 identify data fields produced.

26 **Request No. 38:** Documents sufficient to explain your pricing of foreign automatic

27 card shuffler machines sold referenced in Request No. 36 above including but not limited to

1 definitions of all of the characteristics of the card shuffler product that determines its price(s),  
2 including without limitation casino buyer characteristics, the functionalities of the machine,  
3 and the number of casinos operated by the buyer.

4 **Request No. 39:** All documents relating to third party research and market data reports  
5 concerning foreign sales of automatic card shuffler machines referenced in Request No. 36  
6 above, including without limitation market share data compiled by third parties.

7 **Request No. 40:** All documents relating to or identifying firms selling consumer-grade  
8 or recreational card shufflers in the United States or outside the United States.  
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1 Dated: February 9, 2021

Respectfully submitted,

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10 **By: /s/ R. Stephen Berry**  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served via email on all parties of record this 9th day of February 2021.

By: /s/R. Stephen Berry  
R. Stephen Berry